

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-362-JFH

DANIEL CHRISTOPHER EDWARDS,

Defendant.

OPINION AND ORDER

Before the Court is a joint motion requesting the Court declare case complex (“Motion”) filed by the United States of America (“Government”) and counsel for Defendant Daniel Christopher Edwards (“Defendant”). Dkt. No. 44. For the reasons stated, the Motion is GRANTED.

On October 21, 2022, the Grand Jury returned a five-count indictment charging Defendant with Possession of an Unregistered Destructive Device, Assault with a Dangerous Weapon with Intent to do Bodily Harm in Indian Country, Assault Resulting in Serious Bodily Injury in Indian Country, Arson in Indian Country, and Conveying False Information Concerning an Explosive. Dkt. No. 18. On November 21, 2022, the Grand Jury returned a superseding indictment which added an additional count for Possession of a Destructive Device During and In Relation to a Crime of Violence. Dkt. No. 23. These charges stem from an alleged October 5, 2022 knife and bomb attack on a Catholic Church and pre-school in Tulsa, which left one individual seriously injured. Dkt. No. 44 at 1.

The case is currently set for trial on April 3, 2023. Dkt. No. 40. On February 2, 2022, Defendant gave notice of his intent to present an insanity defense at trial. Dkt. No. 43. In their joint motion to continue the trial, the parties advise that they both intend to obtain expert witnesses

to testify to the psychological state of Defendant at the time of the offense conduct. Dkt. No. 44 at 2. Further, the parties state that discovery in the case is not complete. *Id.* The parties represent that the Government is awaiting “scientific test results relating to DNA found on pieces of evidence and materials used in the explosive device.” *Id.* According to the parties, they are still in the process of conducting witness interviews, gathering victim records, obtaining Defendant’s prior medical and psychological records, and reviewing documentary evidence that has been produced. *Id.*

The parties contend that “the seriousness of the conduct involved in this case, coupled with the noticed insanity defense take it outside the mainstream of cases for this district” and that “[t]he severity of the events in question, the potential penalties, and the expected expert litigation render the prosecution and defense of this case ‘complex’ and therefore warrant an extended pre-trial schedule.” *Id.* at 2-3. The parties request that the current scheduling order deadlines be extended by at least six (6) months. *Id.* at 3.

For the reasons set forth in the Motion, including those noted herein, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), the Court finds that this is a complex case and that it is unreasonable to expect adequate preparation for pretrial proceedings and trial itself within the limits established by 18 U.S.C. § 3161. The Court further finds that the ends of justice served by granting a six (6) month continuance outweigh the interests of the public and the Defendants in a speedy trial. Thus, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), the ends of justice dictate that the period of delay shall be excludable in computing the time from which the Indictment was filed and the time within which the trial of this action must commence.

IT IS THEREFORE ORDERED that the joint motion requesting the Court declare case complex [Dkt. No. 44] is GRANTED. The jury trial set for April 3, 2023 at 8:45 a.m. is stricken.

The following amended scheduling order is hereby entered:

Joint status report regarding production of discovery due: 8/31/2023

Notices due: 8/31/2023

This includes all notices required by the Rules of Criminal Procedure and Evidence, including but not limited to, notices pursuant to Rule 16, 404(b), 412, 413, 414, or 609.

Motions and objections to notices due: 9/7/2023

Absent good cause, motions in limine shall be filed by this date

Motions for bill of particulars shall be filed pursuant to FRCrP 7(f)

Pretrial conference: 9/28/2023 at 9:30 am

Voir dire, jury instructions, stipulations, & trial briefs due: 10/6/2023

Witness and exhibit lists exchanged between counsel and
emailed to courtroom deputy (do not file): 10/12/2023 by 4:00 pm

Three hard-copy exhibit binders delivered to Court: 10/12/2023 by 4:00 pm

Jury trial: 10/16/2023 at 8:45 am

Due to the Court's multi-district caseload, this schedule is relatively inflexible.

Pursuant to LCrR 47-2, any response shall be filed within seven days of any motion's filing.

Only one omnibus motion in limine and one motion to suppress per defendant is permitted without leave of Court.

The Court shall summarily deny without prejudice any motion that does not comply with LCrR 47-4, which requires a motion state on the first page whether or not it is opposed and, if opposed, state whether concurrence was refused or explain why concurrence could not be obtained.

The parties should meet and confer in good faith to discuss any stipulations that would streamline the issues at trial. Any stipulations agreed to should be submitted by the date listed.

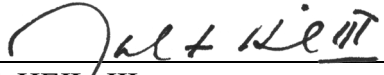
If the parties anticipate a lengthy pretrial/motion hearing, they are directed to promptly contact the Courtroom Deputy and the hearing will be reset.

If the parties anticipate a plea of guilty, they are directed to promptly contact the Courtroom Deputy and a change of plea hearing (separate from the Pretrial Docket Call) will be set. The parties must provide a petition to enter plea of guilty and any plea agreement (if applicable) to the Court and file any superseding information (if applicable) at least three business days prior to the Change of Plea Hearing.

The parties are encouraged to review the Court's [Criminal Guidelines](#).

IT IS FURTHER ORDERED that the time from April 3, 2023, inclusive, to October 16, 2023, inclusive, is excludable pursuant to 18 U.S.C. § 3161(h)(7).

Dated this 17th day of February 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE